GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3839
ANSWERED ON:24.03.2017
Surrogacy
Chandrappa Shri B.N.;Vichare Shri Rajan Baburao

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether surrogacy industry is booming in India and if so, the details thereof;

(b) whether there is no law to govern the surrogacy industry and if so, the details thereof;

(c) whether National Commission for Women has sought for surrogacy ban on NRIs, People of Indian Origin (PIOs) or Overseas Citizens of India (OCIs) besides foreigners and if so, the details thereof;

(d) whether such a restriction should be only for Indian citizens living in India and if so, the details thereof; and

(e) the regulatory measures Government proposes to take to protect the rights of surrogate mothers and children born through surrogacy in India?

Answer

ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)

(a): There are large numbers of clinics in the country offering surrogacy services.

(b): The Surrogacy (Regulation) Bill, 2016, introduced in the Lok Sabha on 21.11.2016, envisages provisions to govern surrogacy in India.

(c): No. However, commissioning of surrogacy in India has been prohibited for foreigners, Persons of Indian Origin (PIOs) and Overseas Citizen of India (OCI) vide Ministry of Home Affairs' Order No. 25022/74/2011-F-I (Vol.III) dated 3rd November, 2015.

(d) & (e): The major objectives of the Surrogacy (Regulation) Bill, 2016 are to regulate surrogacy services in the country and to provide altruistic ethical surrogacy to the needy infertile Indian couples. The Surrogacy (Regulation) Bill, 2016 contains adequate provisions, inter alia, to safeguard the interests of surrogate mothers and children born through surrogacy in India.